THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.26968 OF 2006

ORAL ORDER:

The authorisation of the petitioner as the fair price shop dealer of Madigubba village, was suspended, pending enquiry vide proceedings of the 1st respondent, dated 6.12.2006.

It is not in dispute that a show cause notice was issued to the petitioner on 1.11.2006; in response to which, the petitioner submitted his explanation denying the allegations and the impugned order of suspension was passed after considering the said explanation. Aggrieved by the order dated 6.12.2006, the petitioner preferred an Appeal before the 3rd respondent. By order dated 20.12.2006, the 3rd respondent declined to grant stay, however, the appeal was taken on file. Hence, this writ petition seeking a declaration that the order passed by the 1st respondent dated 6.12.2006 as well as the order passed by the 3rd respondent dated 20.12.2006 as arbitrary and illegal.

Since, admittedly, the order passed by the 1st respondent was only an order which was passed as interim measure suspending the authorisation pending enquiry and it is neither necessary nor proper for this Court to express any opinion on the correctness of the allegations made against the petitioner.

However, the 1st respondent, who is the competent authority to conduct enquiry is required to complete the proceedings within a reasonable time and the petitioner cannot be continued under suspension indefinitely, the writ petition is disposed of with a direction to the 1st respondent to complete the enquiry, pending against the petitioner and pass appropriate orders in accordance with law, if not already passed, as expeditiously as possible, preferably within a period of two weeks from failing which the authorisation of the

petitioner shall stand restored. No costs.

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(G. ROHINI, J.)

19th June, 2007.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.26968 OF 2006

19th June, 2007.

Between:

Talari Jayamma. .. Petitioner.

And

The Revenue Divisional Officer,
Anantapur, Anantapur District and others. .. Respondents.